THE HONOURABLE SRI JUSTICE GODA RAGHURAM

WRIT PETITION No. 20291 of 2006.

DATED: 26-10-2006

Between:

Govindarajula Seshachalam Ravi Susruth

…Petitioner

and

The Superintendent of Police,
Kurnool and others.

…Respondents.

THE HONOURABLE SRI JUSTICE GODA RAGHURAM

W.P.No. 20291 of 2006.

Oral order:

The writ petition is filed with a grievance that the respondents 1 to 4 – Police are not taking expeditious action in respect of Crime No.181 of 2006 of II Town Police Station, Kurnool.

The 3rd respondent has filed counter-affidavit spelling out in detail the steps taken to investigate into Crime no.181 of 2006. In the counter-affidavit, it is stated that the investigation is in progress and four of the accused in Crime No.181 of 2006 have been arrested while the rest of the accused are absconding. The counter also states that all possible steps are being taken to apprehend the other accused. The answering respondent states that he will complete the investigation as expeditiously as possible and file the final report before the concerned Court. The allegation that despite the crime having been registered on 2-9-2006 and no investigation has been seriously pursued is categorically and unequivocally denied. In view of the several facts set out in the counter-affidavit, it is seen that investigation into Crime No.181 of 2006 is being pursued with a relative degree of expedition possible in the context of the available police personnel vis-à-vis the crime pendency. There is no negligence or abdication of executive responsibility by the police which is discernible.

In the circumstances, there are no merits and the writ petition ought to be dismissed.

At this stage, the learned counsel for the petitioner states that

despite having obtained orders of injunction, the persons who are subjected to the orders of injunction before the civil court are nevertheless and have in defiance to the orders of injunction and trespassed into the petitioner's property. This is the grievance that can be properly and legitimately adjudicated in this writ petition. If the petitioner is aggrieved by the transgression of the injunction order by any of the respondents thereto, the petitioner has a plenitude of remedy under the Code of Criminal Procedure, 1973 and before the Civil Court of competent jurisdiction.

For all the aforesaid reasons, the writ petition is dismissed. No order as to costs.

GODA RAGHURAM, J.

26th October, 2006.
GRR